



**U.S. Department Of  
Transportation**

Office of the Secretary  
of Transportation

GENERAL COUNSEL

400 Seventh St., S.W.  
Washington, D.C. 20590

**FEB 16 2000**

73194

Ms. Jacqueline A. Caito  
Travel Consultant  
Scenic Travel Agency  
3500 Main St.  
Munhall, PA 15120

OST-99-6410-34

Dear Ms. Caito:

Secretary **Slater** has asked me to respond to your letter in support of the formal complaint that the American Society of Travel Agents (**ASTA**) has recently filed with this Department against a number of airlines (Docket **OST-99-6410**). **ASTA** alleges that in cutting the commissions that they pay travel agents, the airlines are engaging in unfair practices and unfair methods of competition in violation of 49 U.S.C. §41712.

The airlines filed their responses to **ASTA's** complaint on December 10. It is now up to the Enforcement Office to review the complaint and responses and determine whether, under our statute, the complaint should be pursued or dismissed. Under these circumstances, it would be inappropriate for me to comment on the substance of your letter. You can track the pleadings as well as the Department's actions through our Dockets web site at <http://dms.dot.gov>. Clicking on "search" and then typing "6410" in the space for the docket number and again clicking on "search" will bring up a list of all documents in the docket. Each item can be opened.

The Department's *ex parte* rules, 14 CFR Part 300, require that I place your letter and a copy of this reply in Docket **OST-99-6410**. Please be assured that **ASTA's** complaint will receive careful and thorough consideration.

Sincerely,

  
**Samuel Podberesky**  
Assistant General Counsel for  
Aviation Enforcement and Proceedings

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FEB 29 10:11:22  
U.S. DEPT. OF TRANSPORTATION  
GENERAL COUNSEL



## **Scenic Travel Agency**

**3500 Main Street . Munhall, PA 15120**

**412/461-5151 . FAX 461-8687**

The Honorable Rodney E. Slater  
United States Secretary of Transportation  
400 Seventh Street SW  
Washington, DC 20590

Mr. Secretary,

At the age of 34 I went back to school so that I could do more with my life. I have been in the travel agency business now for just 3 years, and it scares me on a daily basis as to whether or not our agency will be able to survive. I work for a small agency in southwestern Pennsylvania and we have and we have had to start charging service fees just to be able to get by.

We are asking you to help save the travel agency business. We are able to provide consumers with the last, best hope for getting neutral, professional information and advice about travel service options. And we are being forced out of business by unfair airline competition.

As you know ASTA (American Society of Travel Agents) has filed a complaint against the major airlines charging them with unfair practices and unfair methods of competition in air transportation and the sale of air transportation, in violation of 49 U.S.C. 41712. That complaint specifies in detail, how the airlines are destroying the travel agency business while the same time, driving up agents' costs with unnecessary and anti-competitive requirements. I personally have several friends who are currently unemployed because the agency they were working for could no longer operate.



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If the airlines succeed in eliminating travel agents from the marketplace, it will be much harder for the public to learn about all of the fare and service options we have to offer them. We have a lot of senior clients and that would effect them greatly, because they may end up paying a lot more for an airfare than if we had been able to take care of the booking for them. And you know that a lot of older Americans are on fixed incomes and can only put aside so much for leisure activities. Which may included visiting children or grand children.

ASTA has asked you to order the airlines to stop their unfair practices and unfair methods of competition. We do not request this relief lightly. But we know that not granting the relief we seek will have grave consequences. At issue id whether travel agencies, which have served the public necessity and convenience since the dawn of air aviation, will survive in anything like their present numbers.

Through three previous reductions in compensation rates, travel agents have not before asked you to use your statutory powers to intervene directly. Now we must ask you decide and tell us, up or down, whether there is a place for travel agencies in the future of air transportation.

Thank you

Jacqueline A. Caito  
Travel Consultant